

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

MAHMOOD GUILANI	§	
	§	
Plaintiff	§	
	§	
v.	§	No. SA-11-CA-59
	§	
CHASE INVESTMENT SERVICES	§	
CORP. and THOMAS McNAIRY	§	
	§	
Defendants	§	
	§	

ORDER REGARDING DEFENDANTS' MOTION FOR A CONTINUANCE

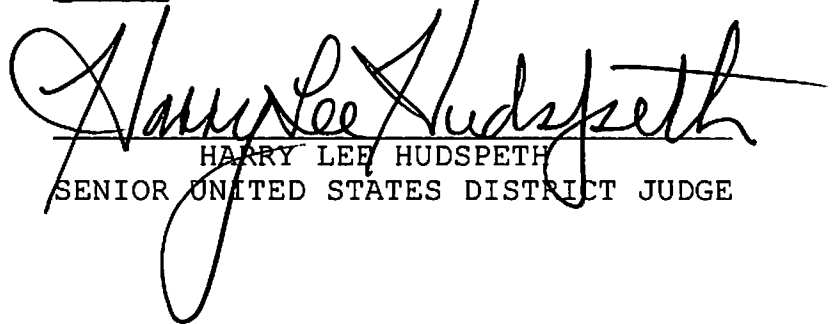
The above-styled and numbered cause is scheduled for trial on the merits on April 10, 2012. The record reflects that on February 24, 2012, the Defendants filed a motion for summary judgment. The response of the Plaintiff is due within a few days. On March 1, 2012, however, counsel for the Defendants filed a motion for continuance (Docket No. 33), expressing fear that the Court will not rule on the pending motion for summary judgment in time for the Defendants to prepare for a trial on the merits. The Court finds that the motion for continuance should be denied without prejudice.

In the event that the Defendants' motion is granted in its entirety, there will be no trial. If the motion is denied in whole or in part, and the Court finds the existence of genuine issues of material fact requiring a trial, either the Plaintiff or the Defendants would have the opportunity to move for a continuance should such relief be considered necessary. The filing of a motion

for continuance today must be considered premature.

IT IS THEREFORE ORDERED that the Defendants' motion for continuance (Docket No. 33) be, and it is hereby, DENIED without prejudice.

SIGNED AND ENTERED this 2nd day of March, 2012.


HARRY LEE HUDSPETH
SENIOR UNITED STATES DISTRICT JUDGE